

105TH CONGRESS
2D SESSION

S. 2611

To amend title XVIII of the Social Security Act to enable Medicare beneficiaries to remain enrolled in their chosen Medicare health plan.

IN THE SENATE OF THE UNITED STATES

OCTOBER 9 (legislative day, OCTOBER 2), 1998

Mr. ROTH (for himself, Mr. LIEBERMAN, and Mr. MACK) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title XVIII of the Social Security Act to enable Medicare beneficiaries to remain enrolled in their chosen Medicare health plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REFORM OF CERTAIN PROVISIONS RELATED**
4 **TO MEDICARE+CHOICE ORGANIZATIONS.**

5 (a) SUBMISSION OF PROPOSED PREMIUMS AND RE-
6 LATED INFORMATION.—Section 1854(a)(1) of the Social
7 Security Act (42 U.S.C. 1395w–24(a)(1)) is amended—

8 (1) by striking “May 1” and inserting “July
9 15”; and

1 (2) by inserting “(which may include the re-
2 quirement of an interim submission prior to such
3 date)” after “specified by the Secretary”.

4 (b) NOTICE OF TERMINATION TO SECRETARY.—Sec-
5 tion 1857(c)(1) of the Social Security Act (42 U.S.C.
6 1395w-27(c)(1)) is amended by adding at the end the fol-
7 lowing: “A Medicare+Choice organization shall provide
8 notice of an intention to terminate a contract under this
9 section at the end of the current term of the contract to
10 the Secretary by not later than July 15 of such term.”.

11 (c) PREVIOUS TERMINATIONS.—Section 1857(c)(4)
12 of the Social Security Act (42 U.S.C. 1395w-27(c)(4)) is
13 amended by striking “5-year period” and inserting “3-
14 year period”.

15 (d) RECONSIDERATION OF UPDATED SUBMIS-
16 SIONS.—

17 (1) IN GENERAL.—An applicable organization
18 (as defined in paragraph (3)) may resubmit an up-
19 dated version of the information described in sub-
20 paragraph (C) of that paragraph to the Secretary of
21 Health and Human Services by not later than 10
22 days after the date of enactment of this Act.

23 (2) TIMELY RECONSIDERATION OF INFORMA-
24 TION IN ORDER TO PROVIDE SEAMLESS CONTINU-
25 ATION OF COVERAGE.—If an applicable organization

1 resubmits information to the Secretary of Health
 2 and Human Services pursuant to paragraph (1), the
 3 Secretary shall act on such information in such a
 4 manner as to ensure that, if approved, such organi-
 5 zation may convert its current contract to a contract
 6 to offer a Medicare+Choice plan under part C of
 7 title XVIII of the Social Security Act (42 U.S.C.
 8 1395w-21 et seq.) effective January 1, 1999.

9 (3) APPLICABLE ORGANIZATION DEFINED.—In
 10 this subsection, the term “applicable organization”
 11 means an eligible organization under section 1876 of
 12 the Social Security Act (42 U.S.C. 1395mm) that,
 13 with respect to an area—

14 (A) has a risk-sharing contract under such
 15 section in effect for 1998;

16 (B) notified the Secretary of Health and
 17 Human Services on or before the date of enact-
 18 ment of this Act that it does not plan to con-
 19 vert such contract to a contract to offer a
 20 Medicare+Choice plan under part C of title
 21 XVIII of such Act effective on January 1,
 22 1999; and

23 (C) submitted proposed premiums and re-
 24 lated information (including the adjusted com-
 25 munity rate for benefits to be offered) to the

1 Secretary prior to the notification described in
2 subparagraph (B) in order to convert such con-
3 tract to a Medicare+Choice plan effective on
4 January 1, 1999.